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C O N F I D E N T I A L SECTION 01 OF 03 BRUSSELS 001633

C O R R E C T E D C O P Y (TEXT REF AND PARA 6)

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SUBJECT: DHS SECRETARY NAPOLITANO'S NOVEMBER 6 MEETING WITH  
BELGIAN MINISTER OF INTERIOR TURTLEBOOM

BRUSSELS 00001633 001.3 OF 003

Classified By: Ambassador Howard Gutman for reasons 1.4(B) and  
(D).

11. (C) Summary: DHS Secretary Napolitano met November 6 with Belgian Minister of Interior Annemie Turtelboom to promote information sharing and security. The Secretary stressed the importance of finding a solution for the Swift Terrorist Finance Tracking Program (TFTP) issue prior to December 1. She also raised the Visa Waiver Program's Preventing and Combating Serious Crime (PCSC) agreement. Minister Turtelboom acknowledged the importance of cooperating on security issues while maintaining individual rights. Turtelboom said the TFTP portfolio was not one of her competencies and said her government would soon be discussing the issue in the Core Cabinet. She promised to share with her government that U.S. access to the Swift data is a crucial asset in combating terrorism. Minister Turtelboom suggested closer U.S. cooperation in other areas, such as exchanging law enforcement and identity theft data. Turtelboom noted that Belgium had H1N1 under control, and Secretary Napolitano shared that the U.S. was expecting a very serious flu season. Looking ahead to the Belgian EU Presidency, Minister Turtelboom said Belgium would make improved internal law enforcement cooperation and anti-radicalization priorities during its presidency from July to December 2010. End Summary.

Delegation  
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12. (C) Secretary Napolitano met with GOB Minister of Interior Annemie Turtelboom on November 6, 2009. Other U.S. officials present included Ambassador Howard Gutman, DHS Undersecretary for National Protection and Programs Rand Beers, DHS Chief of Staff Noah Kroloff, DHS Assistant Secretary for Public Affairs Sean Smith, DHS Deputy Assistant Secretary for International Affairs Mark Koumans, DHS Chief Privacy Officer Mary Ellen Callahan, DHS Attach to the EU and NATO Jackie Bednarz, Embassy Brussels Political-Economic Counselor Richard Eason, and Embassy Brussels Political-Economic Officer Aaron Jensen. Turtelboom's staff were MOI Secretary General Monique De Knop, Chief of Federal Police Fernand Koekelberg, Director General of the Crisis Center Jaak Raes, Director of OCAM/OCAD (Threat Analysis Center), Deputy Chief of Staff Isabelle Mazzara, Advisor for Police Affairs Herman Bliki, and Advisor for International Relations Dominique Laurent.

13. (C) Secretary Napolitano focused primarily on Swift. She noted the value of the data, said the ability to track financial transactions was key to combating international terrorism, and said the U.S. did not want to lose access to the TFTP data. MOI Turtelboom said TFTP was the competency of the Ministry of Justice, but shared that the TFTP issue had been discussed in the government and would be on the agenda of the Core Cabinet in the next few weeks. She added that data privacy discussions were difficult in Belgium, which has a special Privacy Commission and a Parliament that is very protective of its citizens' privacy. She said Parliament was especially conservative in allowing foreign countries access to its citizens' personal information.

14. (C) DHS Napolitano asked the Minister to share two points for consideration with her government. She underscored the high priority the USG puts on investigating financial transactions for counterterrorism. She then praised the program's careful administration and explained that there have been no complaints of breaches of privacy in the program's history. Secretary Napolitano described an independent audit of Swift data by a French judge who determined the program functioned appropriately by adhering to agreed privacy safeguards. She also noted that foreigners may seek redress for breaches of personal data privacy in U.S. courts. The Secretary noted that Belgium and the U.S. work so well together on many issues that we cannot allow SWIFT to come between us.

15. (C) Minister Turtelboom suggested that other types of data exchange would be helpful to Belgian police. She noted that

BRUSSELS 00001633 002.3 OF 003

specific information exchange was easier for Belgium to accept than providing more general access to information in a database. Secretary Napolitano underscored TFTP targets specific terrorists and does not simply provide wholesale access to European data, as some European media have asserted. Ambassador Gutman highlighted the short time frame for resolving the Swift problem. He pointed out that this data was not only important for the United States, but also for Spain, Britain, and France. He said Swift was, "not only for safety on U.S. soil, but for the planet." Minister Turtelboom said that she believed the Ministry of Justice was looking for a juridical, practical, and Belgian solution to the TFTP issue.

#### Other Information Sharing Agreements -----

16. (C) Secretary Napolitano raised the two agreements that form part of the enhanced security cooperation required for Visa Waiver Program (VWP) countries: the HSPD-6 agreement for terrorism information sharing and the Preventing and Combating Serious Crime (PCSC) agreement, modeled on the EU's Prum Agreement, to share criminal data. Secretary Napolitano urged Belgian conclusion of both agreements and added that the United States hoped for a PCSC signing before the end of December. Minister Turtelboom said the HSPD-6 agreement with the Terrorist Screening Center was further along, but added it was not a competence of her ministry. Concerning the PCSC, previously transmitted to Belgium, Turtelboom was unfamiliar with its progress, but urged her staff to look into it (NOTE: DHS subsequently provided her staff with the text. The Belgian MFA leads the negotiations. END NOTE).

17. (C) Secretary Napolitano mentioned the High Level Contact Groups' agreement on sixteen principles of data privacy and the efforts to reach a binding U.S. - EU data sharing agreement. Minister Turtelboom noted the EU Prum Treaty was a difficult topic in parliament, though the GOB had agreed to its provisions. Her Deputy Chief of Staff Isabelle Mazzara

clarified that the PCSC model, either offering information voluntarily or the hit, no-hit method followed by judicial cooperation when hits, exist was more palatable to lawmakers.

She said the parliament was very difficult on the DNA and fingerprint aspects of the Prum Treaty, and added that if Europeans were able to find a solution, then a solution with the U.S. on data privacy could be achievable.

#### U.S. - Belgian Cooperation and H1N1

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¶18. (C) Minister Turtelboom emphasized the success of U.S. - Belgian law enforcement cooperation. She said the Belgian police liaison officer at the Belgian Embassy in Washington is proving useful and noted the good coordination on threat analysis. She asked for more identity theft information exchange, mentioning FTC, Sentinel, or another identity database the U.S. uses. Minister Turtelboom proudly reported that the number of H1N1 cases were no longer increasing rapidly, and that the GOB was able to deal with the flu season without much impact on society and the economy. The Minister explained that Belgium had begun a vaccination campaign. Secretary Napolitano shared that the U.S. was hard hit and forecasted that young people would be negatively affected by H1N1 as the regular flu season begins. The Secretary added that the mortality rate of H1N1 and regular flu is not appreciably different.

#### E.U. Presidency Goals

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¶19. (C) Minister Turtelboom offered several goals Belgium was considering setting as priorities during its EU Presidency. She said community policing and better cooperation between member states, particularly at the local level is important. She said detecting and preventing radicalization of minority populations would be a major focus. Secretary Napolitano responded that countering radicalization was important work. She acknowledged that different methods are used in different countries, and added that a global approach was important, noting that working together we ought to be able to help prevent young people from being radicalized.

¶10. (U) The DHS delegation has cleared this cable.

BRUSSELS 00001633 003.3 OF 003

GUTMAN